

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BRANDON SMIETANA and SKYCOIN
GLOBAL FOUNDATION LIMITED, a
Singapore company, and SYMBOLIC
ANALYTICS INC. a Delaware Corporation
Plaintiffs,

v.

BRADFORD STEPHENS, AARON
KUNSTMAN, HARRISON GEVIRTZ, f/k/a
“HaRRO”, RYAN EAGLE, ANDREW YOUNG,
FAR AHEAD MARKETING, JOEL WAYNE
CUTHRIELL f/k/a “JOEL”, MORGAN PECK,
TRISTAN GREENE, BRYAN CLARK,
CATHERINE BYERLY, STEVEN LEONARD,
JOSH OGLE, and UNKNOWN INDIVIDUALS
AND COMPANIES
Defendants.

Case No.: 1:22-cv-00708

Hon. Sara L. Ellis

**DEFENDANT RYAN EAGLES’S REPLY IN SUPPORT OF HIS MOTION TO DISMISS
UNDER FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6) and 12(b)(1)**

Now Comes defendant RYAN EAGLE, by and through his attorneys Cole Sadkin, LLC and in support of her MOTION TO DISMISS UNDER FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6), and 12(b)(1) states as follows:

I. INTRODUCTION

Plaintiffs filed suit against Ryan Eagle alleging one federal cause of action Count VIII (Violations of the Defend Trade Secrets Act). In addition, plaintiff alleges state law claims in Count V (Civil Conspiracy), Count VI (Tortious Interference), Count IX (Unjust enrichment), and Count XI (Breach of Fiduciary Duty) Should the Court dismiss the federal cause of action, it can and should relinquish supplemental jurisdiction of the remaining state law claims. If the Court retains jurisdiction it should dismiss the state court causes of action as set forth in the Motion to Dismiss. This Court set a briefing schedule on the Eagle’s Motion to Dismiss. Plaintiffs’ response to Eagle’s Motion to Dismiss is styled as a Request to Amend their

Complaint. It is unclear if this is a Motion to Amend their Complaint or a response to the present Motion. To the extent it is a Response to Eagle's Motion to Dismiss and requires a reply, Defendant Eagle relies on the arguments set forth in his Motion to Dismiss. In particular, there are no set of facts that plaintiffs can set forth to sustain their sole Federal Cause of Action against Eagle, the Defend Trade Secrets Act.

Plaintiffs' allegations are bereft of facts. They consist of guess, conjecture and innuendo. There are no set of facts that can meet the bare minimum standards for the causes of action plaintiffs attempt to set forth.

Wherefore, defendant Ryan Eagle, by and through his attorneys, Cole Sadkin, LLC, requests this Honorable Court dismiss all counts against defendant Ryan Eagle pursuant to Federal Rule of Civil Procedure 12(b)(6) and 12(b)(1) for failure to state a cause of action or any other relief this Court deems appropriate.

COLE SADKIN, LLC

By: /s/ Dean Barakat
DEAN BARAKAT
Attorneys for Defendant Ryan Eagle

Dated: June 30, 2022

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